

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF WEST VIRGINIA**

**SCOTT T. BALLOCK,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO.: 1:17-CV-52  
Honorable Irene M. Keeley**

**ELLEN RUTH COSTLOW,  
STATE TROOPER MICHAEL KIEF,  
STATE TROOPER RONNIE M.  
GASKINS, AND STATE TROOPER  
CHRIS BERRY,**

**Defendants.**

**DEFENDANT ELLEN RUTH COSTLOW'S  
MOTION FOR LEAVE TO EXCEED PAGE LIMIT**

Defendant Ellen Ruth Costlow, by counsel, hereby moves this Honorable Court, pursuant to Local Rule of Civil Procedure 7.02, for leave to file a memorandum in support of her Motion for Summary Judgment which exceeds the 25-page limit under the Local Rules.

The Plaintiff's Third Amended Complaint consists of 298 paragraphs and contains eleven (11) remaining causes of action against Ms. Costlow. (two were previously dismissed) (ECF No. 49). In addition, the Complaint alleges events occurring from September 2012 until April 2017, and Ms. Costlow's defense includes reports from FBI investigations not concluding until March 2019.

Counsel does not believe he can adequately present all Ms. Costlow's defenses and the factual statement in support of each and stay within Local Rule of Civil Procedure 7.02's 25-page limit. Counsel believes his memorandum will exceed the limit only slightly, as Ms. Costlow's consisting of 28 pages. ↗

For these reasons, Ms. Costlow respectfully request leave of the Court to exceed the page limit established in Rule 7.02 and file a memorandum of law, consisting of 28 substantive pages. WHEREFORE, Ms. Costlow requests that this Honorable Court GRANTS her Motion and ORDERS that the attached memorandum of law be filed in support of her Motion for Summary Judgment.

Dated this 8 day of July 2019.

**RESPECTFULLY SUBMITTED,  
ELLEN RUTH COSTLOW,  
By counsel,**

/s/ P. Todd Phillips

P. Todd Phillips (WV State Bar #9499  
LYONS PHILLIPS LEGAL GROUP PLLC  
141 Walnut Street  
Morgantown, WV 26505  
304-296-3200  
304-296-0713 *fax*  
[toddphillips.law@gmail.com](mailto:toddphillips.law@gmail.com)

*Counsel for Defendant Ruth Ellen Costlow*

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**CHRIS BERRY,**

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 8<sup>th</sup> day of July 2019, I electronically filed the foregoing  
“Motion for Leave to Exceed Page Limit” with the Clerk of the Court using CM/ECF system,  
which will send notification of such filing to the following:

Mark G. Jeffries, Esq.  
STEPTOE & JOHNSON, PLLC  
400 White Oaks Boulevard  
Bridgeport, WV 26330-4500

Montè L. Williams  
STEPTOE & JOHNSON, PLLC  
PO Box 1616  
Morgantown, WV 26507-1616

*Counsel for Defendants State Trooper Michael Kief, State Trooper Ronnie M. Gaskins  
and State Trooper Chris Berry*

Charles J. Crooks, Esq.  
CROOKS LAW FIRM PLLC  
244 Pleasant Street  
Morgantown, WV 26505

*Counsel for Plaintiff*

/s/ P. Todd Phillips

P. Todd Phillips (WV State Bar #9499)

LYONS PHILLIPS LEGAL GROUP PLLC

141 Walnut Street

Morgantown, WV 26505

304-296-3200

304-296-0713 *fax*

[toddphillips.law@gmail.com](mailto:toddphillips.law@gmail.com)

*Counsel for Defendant Ruth Ellen Costlow*